

AGENDA # \_\_\_\_\_

DATE December 22, 2008

\_\_\_\_\_ A.

SUBDIVISION: STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3,  
(P.D. 03-335 CC)

DEVELOPER: LAND SOLUTIONS, LLC

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE  
IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS  
7 & 3, (P.D. 03-335 CC)

LOCATION: ± 2000 FEET WEST OF HACKS CROSS ROAD AND SOUTH OF  
HOLMES ROAD. MEMPHIS ANNEXATION AREA

47070/45-5

**EXHIBIT A**  
**To Permanent Rules of Order of the Board of County Commissioners of Shelby County,**  
**Tennessee**

**SHELBY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ROUTE SHEET**

Referred to Commission Committee LAND USE

For Commission Action on DECEMBER 22, 2008

**DESCRIPTION OF ITEM:**

RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO  
STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3,  
(P.D. 03-335 CC) SPONSORED BY COMMISSIONER MIKE RITZ

**CHECK ALL THAT APPLY BELOW:**

  X   This Action does NOT require expenditure of funds.

       This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: \$                      ; County CIP Funds- \$                     

State Grant Funds: \$                      ; State Gas Tax Funds: \$                     

Federal Grant Funds: \$                     

Other funds (Specify source and amount): \$   

Other pass-thru funds (Specify source and amount): \$   

**Originating Department:** ENGINEERING

**APPROVAL:**

Dept. Head: Michael Oakes 545-4332      \ MO \ 11-29-08  
(Type your name & phone #.)      (Initials)      (Date)

Elected Official:         \      \  
(Type your name & phone #.)      (Initials)      (Date)

Division Director: Ted Fox 545-4266      \ [Signature] \ 11-24-08  
(Type your name & phone #.)      (Initials)      (Date)

CIP – A&F Director:         \      \  
(Type your name & phone #.)      (Initials)      (Date)

Finance Dept.         \      \  
(Type your name & phone #.)      (Initials)      (Date)

County Attorney: Lisa Kelly 545-4363      \ LK \ 12/1/08  
(Type your name & phone #.)      (Initials)      (Date)

CAO/Mayor:         \      \  
(Type your name & phone #.)      (Initials)      (Date)

## SUMMARY SHEET

### I. Description of Item

RESOLUTION TO RELEASE THE BOND THAT SECURED THE  
IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3,  
(P.D. 03-335 CC)

### II Source and Amount of Funding

#### A. Amount Expended/Budget Line Item

N/A

#### B. All Costs (Direct/Indirect)

N/A

#### C. Additional or Subsequent Obligations or Expenses of Shelby County

N/A

### III. Contract Items

A. Type of Contract	City/County Standard Contract
B. Terms	N/A

### IV. Additional Information Relevant to Approval of This Item

N/A

Item \_\_\_\_\_

Prepared by ERMA HOLMES

Approved by \_\_\_\_\_

RESOLUTION TO RELEASE THE BOND THAT SECURED THE  
IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3,  
(P.D. 03-335 CC) SPONSORED BY COMMISSIONER MIKE RITZ

WHEREAS, The improvements in connection with STONEBRIAR P.D.,  
PHASE 5, PART OF AREAS 7 & 3 (P.D. 03-335 CC) have been completed  
in accordance with the terms of an Agreement by and between LAND  
SOLUTIONS, LLC, the City of Memphis, and County of Shelby; and

WHEREAS, These required improvements have been inspected by  
the Office of the County Engineer and were found to be  
satisfactorily constructed in accordance with the approved  
plans.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That these  
improvements in connection with STONEBRIAR P.D., PHASE 5, PART  
OF AREAS 7 & 3 (P.D. 03-335 CC) be and are hereby accepted for  
future maintenance.

BE IT FURTHER RESOLVED, That the Land Solutions, LLC Cash  
Bond, I.D. Number 1077 in the amount of \$62,800.00 dated March  
28, 2007 and Cash Bond I.D. Number 957 in the amount of  
\$37,000.00 dated March 28, 2006 held as security to guarantee  
the satisfactory completion of the necessary improvements be and  
is hereby released to the developer.

BE IT FURTHER RESOLVED, That this action is subject to City  
approval.

A C Wharton, Jr., Shelby County Mayor

Date \_\_\_\_\_

ATTEST:

Clerk of County Commission

ADOPTED: \_\_\_\_\_

DEVELOPMENT NAME: **STONEBRIAR PD, PART OF AREA 7 & 3, PHASE 5  
PD03-335CC**

RESIDENTIAL LOTS **82 LOTS**

BOND AMOUNT **\$99,800.00**

SCOPE OF CONTRACT

**CONSTRUCT RESIDENTIAL PLANNED DEVELOPMENT WITH FULL  
URBAN IMPROVEMENTS.**

REMARKS:

- **THE PUBLIC IMPROVEMENTS HAVE BEEN INSPECTED AND ARE  
HEREBY RECOMMENDED FOR ACCEPTANCE BY THE COUNTY  
COMMISSION.**
- **BOND RELEASE IS RECOMMENDED**
- **THE PROJECT IS LOCATED IN THE MEMPHIS ANNEXATION  
RESERVE AREA**
- **SIDEWALKS TO BE INSTALLED BY BUILDING PERMIT HOLDER.**
- **THE COUNTY WILL PAVE THE SURFACE ASPHALT ON ALL  
PUBLIC STREETS.**



**GRATUITY DISCLOSURE FORM**

Shelby County Ethics Commission

**INSTRUCTIONS:** This form is for all persons receiving any Shelby County Government contract, land use approval or financial grant money to report any gratuity that has been given, directly or indirectly, to any elected official, employee or appointee (including their spouses and immediate family members) who is involved in the decision regarding the contract, land use approval, or financial grant of money.

1. NAME

Doyle Ricks, Land Solutions, LLC

2. DATE OF GRATUITY

NA

3. NATURE AND PURPOSE OF THE GRATUITY

NA

4. NAME OF THE OFFICIAL, EMPLOYEE, APPOINTEE, OR FAMILY MEMBER WHO RECEIVED THE GRATUITY

NA

5. NAME OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

NA

6. ADDRESS OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

NA

7. DESCRIPTION OF THE GRATUITY

NA

8. COST OF THE GRATUITY (If cost is unknown and not reasonably discernible by the person giving the gratuity, then the person giving the gratuity shall report a good faith estimate of the cost of the gratuity.)

NA

9. The information contained in this Gratuity Disclosure Form, and any supporting documentation or materials referenced herein or submitted herewith, is true and correct to the best of my knowledge, information and belief and affirm that I have not given, directly or indirectly, any gratuity to any elected official, employee or appointee (including spouse and immediate family members) that has not been disclosed and I affirm that I have not violated the provisions of the Shelby County Government Code of Ethics.

LAND SECURITY LLC  
X Signature CHUCK MALAPOL

X 10-23-08  
Date

X Doyle C. Rick  
Print Name

*A copy of your completed form will be placed on the Shelby County Internet website.*

## LAND USE OWNERSHIP DISCLOSURE

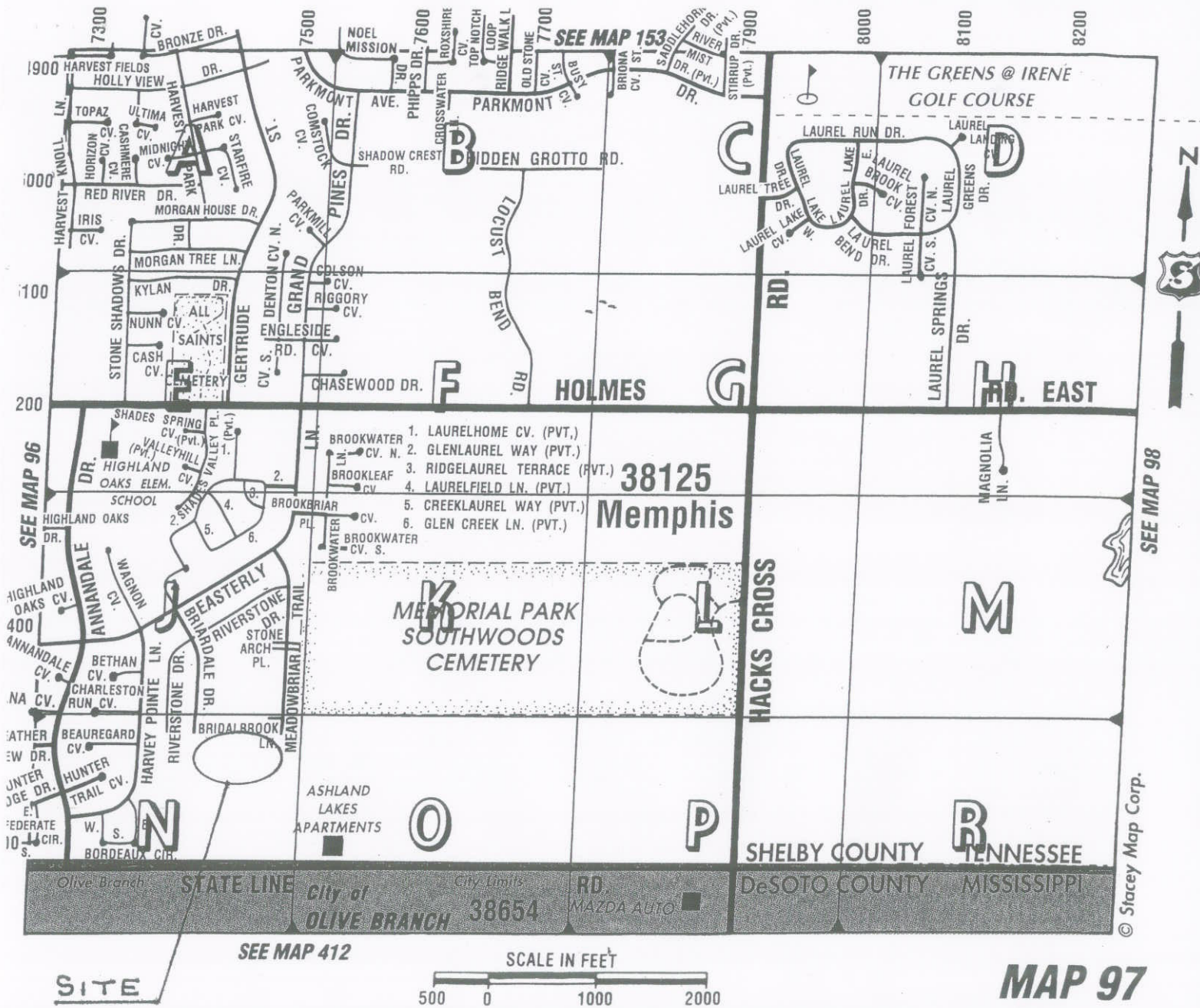
Please identify every person who has an ownership interest of 10% or more in the subject application whether they be the current owners, the contract buyers, or the lenders. If current owner or contract buyer are public corporations, please note the fact and list no other owners. Only lenders which are not institutions (banks, saving and loans or credit unions) need be listed.

Project Name: STONEBRIAR, phase 8 Case# PD 03-3352C

Developer Name: LAND SOLUTIONS, LLC

	NAMES	ADDRESSES
<u>CURRENT OWNERS</u>	<u>DOYLE C. RICKS AND G.</u>	<u>P.O. Box 38403, Germantown TN 38138</u>
	<u>Rothberg LLC</u>	<u>P.O. Box 38403, Germantown, TN 38138</u>
<u>CONTRACT OWNERS/BUYERS</u>	<u>NONE</u>	
<u>NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED</u>	<u>NONE</u>	





# STONEBRIAR PD, PART OF AREA 7 AND 3 PHASE 5 PD03 - 335CC